

**To:** Erin Foresman/R9/USEPA/US@EPA[]  
**From:** "Nepstad, Michael G SPK"  
**Sent:** Thur 3/4/2010 5:32:39 PM  
**Subject:** FW: Marc Ebbin

recent developments, so far meeting on the 10th is still on

-----Original Message-----

From: Jewell, Michael S SPK  
Sent: Thursday, March 04, 2010 9:04 AM  
To: 'Nawi, David'  
Cc: Barajas, Federico; Hagler.Tom@epamail.epa.gov; Castleberry, Dan; Maria Rea; Schwinn.Karen@epamail.epa.gov; Nepstad, Michael G SPK  
Subject: RE: Marc Ebbin

Thanks, David. From the Corps' perspective, we'd prefer to see one purpose statement now rather than deal with it as a separate matter sometime in the future. It can make things messy later especially if, for 404(b)(1) requirements, we need to explore more/different alternatives than those presented as the reasonable range in the EIS. It also delays resolving concerns raised by EPA.

We'll contact Mark Ebbin today to explore the issue further. Ultimately the lead districts will need to make the decision how to handle purpose.

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-----Original Message-----

From: Nawi, David [mailto:David\_Nawi@ios.doi.gov]  
Sent: Wednesday, March 03, 2010 2:24 PM  
To: Jewell, Michael S SPK  
Cc: Barajas, Federico; Hagler.Tom@epamail.epa.gov; Castleberry, Dan; Maria Rea; Schwinn.Karen@epamail.epa.gov  
Subject: Marc Ebbin

Mike - I just spoke to Marc Ebbin. He thinks that the BDCP EIS and the Corps 404(b)(1) analysis should be two separate documents and that the EIS P+N statement should be crafted to meet just NEPA requirements, not CWA as well.

I gather that he has not spoken with you about his view, which is very different from yours as you set it out this morning. You should anticipate a call from Marc. He indicated that he may raise this with Rock Salt next week,

Please let me or the others on this message know what we can do to help.

David